

**PUBLIC HEARING V Thursday, MAY 7th, 2009  
EAST LYME ZONING COMMISSION  
MINUTES**

The East Lyme Zoning Commission held a Public Hearing on the Application of Lynnea & Axel Mahlke for Lymak Fitness LLC for a Special Permit for Indoor Recreation for a fitness club for adults at property identified in the application as 17 Liberty Way, Niantic, CT. Chairman Nickerson opened the Public Hearing and called it to order at 10:11 PM after the previously scheduled Public Hearings.

**PRESENT:** Mark Nickerson, Chairman, Rosanna Carabelas, Secretary, Ed Gada, Marc Salerno, Steve Carpenteri, William Dwyer, Alternate

**ALSO PRESENT:** Norm Peck  
Lynnea & Axel Mahlke, Applicants  
William Mulholland, Zoning Official

**ABSENT:** Bob Bulmer, Alternate, Gregory Massad, Alternate

**PRESENT:** Mark Nickerson, Chairman, Rosanna Carabelas, Secretary, Ed Gada, Marc Salerno, Steve Carpenteri, William Dwyer, Alternate

**Pledge of Allegiance**

The Pledge was previously observed.

**Public Hearing I**

**1. Application of Lynnea & Axel Mahlke for Lymak Fitness LLC for a Special Permit for Indoor Recreation for a fitness club for adults at property identified in the application as 17 Liberty Way, Niantic, CT.**

Chairman Nickerson noted that the Legal Ad for this application had run in The Day on April 24, 2009 and May 4, 2009.

Mr. Nickerson also stated that Mr. Peck had recused himself and was seated in the audience and that he has seated William Dwyer, Alternate at the table.

He then asked Rosanna Carabelas, Secretary to read the correspondence into the record.

Ms. Carabelas read the following correspondence into the record:

◆ Letter dated 5/7/09 to EL Zoning Commission from William Mulholland, Zoning Official - Re: Application of Lymak Fitness LLC for a Special Permit for Indoor Recreation at 17 Liberty Way, Niantic, CT – noting that the property is zoned light industrial and that this use is permitted by Special Permit. The Commission must determine whether there is sufficient on-site parking to support the use.

Mr. Nickerson then called for the applicant or their representative to make their presentation.

Lynnea Mahlke, applicant said that they had put in their letter that the building is 5,600 sq. ft. and asked that it be corrected to 4,800 sq. ft. She continued that this business is a franchise and that there are over 1000 clubs nationwide. They are typically between 3,000 sf and 5,000 sf and have anywhere from 400 to 800 members. They operate 24 hours per day and are accessed by key fob. She submitted **Exhibit A** for the record – a letter dated 5/6/09 from the owner of Anytime Fitness in Colchester, CT stating how their business runs and that they utilize a maximum of 10 to 15 parking spaces at peak usage time. She said that there are 33 parking spaces available to that area and noted that the previous use of this space was for fitness.

Mr. Salerno asked if it would be staffed at all hours.

Ms. Mahlke said no, members would have to swipe a key fob and the business has a sophisticated security system to prevent any unauthorized use. She submitted **Exhibit B** for the record – the Community

Information Guide from Anytime Fitness – Corporate Office which outlined the operation of the facility and the security system. (she noted that she had submitted this information with her application) She continued that during the regular hours that the facility would be manned by staff or a personal trainer.

Ms. Carabelas asked if they would be a Club 1, 2 or 3 classification (from Exhibit B).

Ms. Mahlke said that she would be generous in guessing that they would get 600 visits per week. The peak times would be early AM before work or on the way home from work. She elaborated that they have wireless security with alert should there be a problem.

Mr. Salerno asked about the members and the number of visits per week.

Axel Mahlke, applicant; said that it tends to be a workout business and not a stop & stay business so the turnaround time is fairly quick.

Mr. Nickerson said that he feels that this is the right demographic however he has trouble with the location as it was designed for LI use which is more the type of personnel who sit and design and do not come and go many times during the day or create traffic. He recalled that ABC Kids and others who were there previously got letters from the other businesses in the area who said that it was okay with them; and while he thinks that it is a great business, it seems that this has become a retail park and if so, it would have to have more parking. He added that this is only his opinion.

Mr. Salerno asked how many people could be working out at the same time –

Mr. Mahlke said that if they saw 12, that would be a lot as they do not have a lot of equipment and they are not a jazzercise that has to have classes of 30 people to work out. He said that he worked for a fitness facility for many years as a trainer and that this is a small, quality club.

Ms. Mahlke added that while it is zoned LI that there are many businesses there already that are not LI.

Mr. Carpenteri asked how many parking spaces are available there.

Ms. Mahlke said that there are 33 and that as they would not be using the overhead doors in the back, those spaces could be used for parking also.

Mr. Nickerson explained the protocol for public comment and called for those from the public who wished to speak in favor of the application.

Elaine Koziatek, 56 White Birch Circle said that she came specifically for this special permit application for a specialized fitness center. She said that she knows of three personal fitness trainers who run businesses like this out of their homes and that this is for people who come in for a purpose and leave. Also, they have already approved other permits for businesses in this area that are not LI either – such as a psychiatrist. She said that she really thinks that this should be approved.

Mr. Nickerson called for anyone wishing to speak against or neutrally on this application.

Hearing no one -

Mr. Nickerson asked if the Commissioners had any other questions –

Hearing none -

Mr. Nickerson called for a motion to close this public hearing.

**\*\*MOTION (1)**

**Mr. Salerno moved that this Public Hearing be closed.**

**Ms. Carabelas seconded the motion.**

**Vote: 6 – 0 – 0. Motion passed.**

Mr. Nickerson closed this Public Hearing at 10:35 PM.

Respectfully submitted,

Karen Zmitruk,

Recording Secretary